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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

KLAMATH RIVERKEEPER,)	CASE NO. 15-02670 JSW
)	
Plaintiff,)	JOINT STIPULATION EXTENDING TIME TO
)	ANSWER OR RESPOND TO COMPLAINT AND
v.)	TO CONTINUE RULE 26(f) CONFERENCE+AND
)	PROPOSED ORDER
NATIONAL MARINE FISHERIES SERVICE,)	AND SETTING CASE MANAGEMENT CONFERENCE
<i>et al.</i> ,)	ON NOVEMBER 13, 2015
)	
Defendants.)	

JOINT STIPULATION

WHEREAS, the above-named Federal Defendants (“Defendants”) were served with the underlying Complaint filed by Plaintiff Ecological Rights Foundation (“Plaintiff”) on June 20, 2015;

WHEREAS, on July 21, 2015, Plaintiff and Defendants (the “Parties”) filed a Stipulation agreeing to an extension permitting Defendants to file an answer or other response to the Complaint on or before August 24, 2015;

WHEREAS, Defendants produced a large volume of documents on July 31, 2015 and August 10, 2015 in response to Plaintiff’s April 29 and follow-up May 25, 2015 FOIA requests;

WHEREAS, Plaintiff is now in the process of reviewing those documents and needs additional time to confirm details that will allow it to better conduct a conference of the parties as required under Rule 26(f) such as: assessing whether the production is complete; whether any documents were improperly withheld; whether Defendants performed adequate searches; and whether Defendants set proper cut off dates for searches;

WHEREAS, after such time, the Parties will be better prepared to assess what position they should take on settlement; whether they should stipulate or otherwise agree to narrow the issues in the matter; and whether there are any other issues ripe for the Court’s review in this matter;

WHEREAS, this Court has set a Rule 26(f) Scheduling Conference for September 11, 2015 at 11:00 a.m.;

WHEREAS, the Scheduling Conference triggers the Parties’ duty to hold a Rule 26 Conference of Counsel, exchange Initial Disclosures, and develop a plan for proceeding in this matter by August 21, 2015, and submit a Rule 26(f) Report by September 4, 2015;

WHEREAS, in light of the above-stated reasons, the Parties request a 60-day continuance of the Rule 26(f) Scheduling Conference set for September 11, 2015, and the foregoing related dates, in a further effort to preserve the resources of the Parties and the Court – no prior extensions have been sought by either party with respect to these dates;

IT IS HEREBY STIPULATED by and between the Parties, through their undersigned counsel of record, and subject to the Court’s approval, that:

1. Defendants will file an answer or other response to the Complaint on or before October

5, 2015;

2. The Rule 26(f) Scheduling Conference is continued by 60 days to November 11, 2015 at 11:00 a.m., or at a date convenient to the Court thereafter.

a. The Parties shall hold a Rule 26 Conference of Counsel and exchange Initial Disclosures on or before October 21, 2015; and

b. The Parties shall file the Joint Scheduling Report on or before November 4, 2015.

3. All other deadlines not specifically referenced herein, and all other terms of the Court's Order setting the Rule 26(f) Scheduling Conference, remain unchanged.

IT IS SO STIPULATED.

DATED: August 21, 2015

By: /s/ Page Perry
PAGE PERRY
Attorney for Plaintiff

By: MELINDA HAAG
United States Attorney

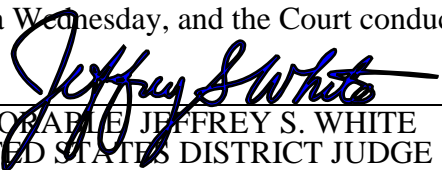
/s/ Sabita J. Soneji
SABITA J. SONEJI
Assistant United States Attorney
Attorneys for Federal Defendants

PURSUANT TO STIPULATION, IT IS SO ORDERED:

IT IS HEREBY ORDERED that the parties shall appear for a case management conference on Friday, November 13, 2015, at 11:00 a.m., and their joint case management statement shall be due on November 13, 2015. The Court notes that the parties' proposed date is a Wednesday, and the Court conducts case management conferences on Fridays.

DATED:

August 24, 2015


HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

CERTIFICATION

Pursuant to Civil L.R. 5-1(i)(3), the undersigned hereby attests that Page Perry has concurred in the filing of this document.

Dated: August 21, 2015

MELINDA HAAG
United States Attorney

/s/ Sabita J. Soneji
SABITA J. SONEJI
Assistant United States Attorney
Attorney for Federal Defendants